

NATURALIZATION

Convention signed at Washington May 7, 1908

Senate advice and consent to ratification May 14, 1908

Ratified by Portugal September 21, 1908

Ratified by the President of the United States November 6, 1908

Ratifications exchanged at Washington November 14, 1908

Entered into force November 14, 1908

Proclaimed by the President of the United States December 14, 1908

35 Stat. 2082; Treaty Series 513

The President of the United States of America and His Most Faithful Majesty the King of Portugal and of the Algarves, led by the wish to regulate the citizenship of those persons who emigrate from the United States of America to the territories of Portugal, and from the territories of Portugal to the United States of America, have resolved to treat on this subject, and have for that purpose appointed Plenipotentiaries to conclude a Convention, that is to say:

The President of the United States of America, Elihu Root, Secretary of State; and

His Most Faithful Majesty the King of Portugal and of the Algarves, Viscount de Alte, His Envoy Extraordinary and Minister Plenipotentiary near the Government of the United States of America;

Who have agreed to and signed the following articles:

ARTICLE I

Subjects of Portugal who become naturalized citizens of the United States of America and shall have resided uninterruptedly within the United States five years shall be held by Portugal to be American citizens and shall be treated as such. Reciprocally, citizens of the United States of America who become naturalized subjects of Portugal and shall have resided uninterruptedly within Portuguese territory five years shall be held by the United States to be Portuguese subjects and shall be treated as such.

ARTICLE II

A recognized citizen of the one party on returning to the territory of the other remains liable to trial and punishment for an action punishable by the

laws of his original country, and committed before his emigration, but not for the emigration itself, saving always the limitation established by the laws of his original country, and any other remission of liability to punishment.

The infraction of the legal provisions which in the country of origin regulate emigration shall not be held, for the purposes of this article, as pertaining to the emigration itself and, therefore, the transgressors of those provisions who return to the country of their origin are there liable to trial on account of any and whatever responsibility they may have incurred through such infraction.

ARTICLE III

If a Portuguese subject naturalized in America, renews his residence in Portugal, without intent to return to America, he shall be held to have renounced his naturalization in the United States. Reciprocally, if an American naturalized in Portugal renews his residence in the United States, without intent to return to Portugal, he shall be held to have renounced his naturalization in Portugal.

The intent not to return may be held to exist when the person naturalized in one country resides more than two years in the other country.

ARTICLE IV

The present Convention is concluded for a period of five years, dating from the day of the exchange of its ratifications, but if neither party shall have given to the other six months previous notice of its intention to terminate the same, it shall continue in force till six months after one of the contracting parties shall have notified the other of its intention to do so.

The ratifications of the present Convention shall be exchanged at Washington, as soon as possible.

In witness whereof, the respective Plenipotentiaries have signed the above articles and have hereunto affixed their seals.

Done in duplicate at Washington this seventh day of May one thousand nine hundred and eight.

ELIHU ROOT	[SEAL]
ALTE	[SEAL]